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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 15-00347 JST
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE HEARING DATE
vs.)	TO MARCH 11, 2016 AND TO EXCLUDE
)	TIME UNDER THE SPEEDY TRIAL ACT
)	
JESSE LEE ZEIGLER, JR.,)	Hearing Date: February 12, 2016
)	Time: 9:30 a.m.
Defendant.)	
_____)	

The above-captioned matter is set on February 12, 2016 before this Honorable Court for a status hearing. The parties jointly request that the Court continue this matter to March 11, 2016, at 9:30 a.m., for status or motions setting, and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, between February 12, 2016 and March 11, 2016.

On September 17, 2015, the government filed a superseding indictment charging Mr. Zeigler with robbery affecting interstate commerce and with being a felon in possession of firearms and ammunition, with armed career criminal penalties alleged. On November 17, 2015, the government produced supplemental discovery to the defense, which included search warrant

1 results for cell phones recovered in this case and DNA test results.

2 The parties are in the process of negotiating a settlement and need additional time to
3 present a proposed disposition for the Court. Defense counsel needs time to discuss settlement
4 options with Mr. Zeigler. In addition, the defense needs time to complete its investigation and to
5 research and to investigate the commerce element for the robbery charge. The defense also needs
6 time to complete research on the armed career criminal allegation in the superseding indictment.

7 For these reasons, the defense requests additional time to prepare, and the parties agree
8 that it is appropriate to continue this case until March 11, 2016. The parties stipulate and agree
9 that the ends of justice served by this continuance outweigh the best interest of the public and the
10 defendant in a speedy trial. The parties further agree that the failure to grant this continuance
11 would unreasonably deny counsel for defendant the reasonable time necessary for effective
12 preparation, taking into account the exercise of due diligence. Accordingly, the parties agree that
13 the period of time from February 12, 2016 until March 11, 2016, should be excluded in
14 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv),
15 for effective preparation of defense counsel, taking into account the exercise of due diligence.

16
17 DATED: February 9, 2016

/S/

BRIGID S. MARTIN
Assistant United States Attorney

18
19 DATED: February 9, 2016

/S/

ANGELA MILELLA HANSEN
Assistant Federal Public Defender

ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby finds:

1. Given that the parties are currently negotiating a settlement and that the defense needs additional time to discuss settlement with the defendant;
2. Given that the defense needs additional time to research and to investigate the charges;
3. Given that these above-listed tasks are necessary for the defense preparation of the case and that the failure to grant the requested continuance would unreasonably deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;
4. Given that the ends of justice served by this continuance outweigh the best interest of the public and defendant in a speedy trial;

Based on these findings, it is hereby ordered that the status hearing date of February 12, 2016, scheduled at 9:30 a.m., is vacated and reset for status and motion setting on March 11, 2016, at 9:30 a.m. It is further ordered that time is excluded pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from February 12, 2016 through March 11, 2016.

DATED: February 10, 2016

